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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MECHAUN SCOTT, individually,
Plaintiff(s),
vs.

THOMSON REUTERS CORPORATION;
SMARTBIZ BANK, N.A., and DOES 1-10
inclusive,
Defendant(s).

Case No.:

**COMPLAINT FOR DAMAGES and
DEMAND FOR JURY TRIAL**

COMPLAINT

Plaintiff MEACHUN SCOTT (hereafter “Plaintiff”) files her Complaint for Damages and Demand for a Jury Trial against Defendants THOMSON REUTERS CORPORATION, SMARTBIZ BANK, N.A., and DOES 1-10 inclusive (hereinafter collectively as “Defendants”), and alleges as follows:

NATURE OF THE ACTION

13. Plaintiff is informed and believes and thereon alleges that each of the DOES 1-10 Defendants is responsible in some manner for the occurrences herein alleged and that Plaintiff's damages as herein alleged were proximately caused by such occurrences.

FIRST CAUSE OF ACTION

(Violation of 15 U.S.C. §1681e(b) against Thomson Reuters and DOES 1-10)

14. Plaintiff hereby incorporates by reference the allegations of each and every paragraph above.

15. Defendant willfully and violated the above-referenced sections of the FCRA by disclosing erroneous information.

16. Defendant's conduct was willful because it knew that its disclosure of erroneous information is insufficient to assure maximum possible accuracy of the criminal history reported.

17. Plaintiff is informed and believes and thereon alleges Defendant failed to use reasonable procedures to ensure the maximum possible accuracy of the information reported. Specifically, Defendant disclosed expunged criminal record information, rendering the report inaccurate and outdated.

18. Defendant's violations entitle Plaintiff to damages pursuant to 15 U.S.C. §§1681n, 1681o including but not limited to actual and/or punitive damages, emotional distress, damage to reputation and attorney's fees and costs.

19. Alternatively, Plaintiff alleges that Defendant's conduct was negligent.

SECOND CAUSE OF ACTION

(Violation of 15 U.S.C. §1681g against Thomson Reuters and DOES 1-10)

20. Plaintiff hereby incorporates by reference the allegations of each and every paragraph above.

21. Defendant willfully violated the above referenced statutory requirements by failing to provide Plaintiff with her full file and other information as required by statute.

22. Plaintiff requested her full file via USPS mailed to Defendant's headquarters.

23. Plaintiff has not received a copy of her full file to date.

24. Defendant's willful and/or reckless violation of the statute entitles Plaintiff to actual damages, attorney's fees as well as statutory penalties.

25. Alternatively, Plaintiff alleges that Defendant's conduct was negligent.

THIRD CAUSE OF ACTION

(Violation of 15 U.S.C. §1691(a) against SmartBiz Bank and DOES 1-10)

26. Plaintiff hereby incorporates by reference the allegations of each and every paragraph above.

27. The Equal Credit Opportunity Act (ECOA) prohibits "discrimination against any applicant, with respect to any aspect of a credit transaction, on the basis of race." 15 U.S.C. §1691(a).

28. Because African Americans are arrested, charged, convicted, and sentenced disproportionately compared to other races, use of criminal history information in making credit decisions necessarily has an adverse impact on African Americans.

29. SmartBiz's denial of Plaintiff's business loan application on the basis of her criminal history information adversely impacted her on the basis of her race.

30. SmartBiz violated the above referenced statute by denying Plaintiff's business loan application on the basis of her race.

31. Pursuant to 15 U.S.C. §1691e, SmartBiz is liable to Plaintiff for actual damages, punitive damages up to \$10,000, costs, and reasonable attorney's fees.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

a. For a declaration that Defendants' practices violate FCRA and/or ECOA;


- b. For statutory, compensatory, special, general, and punitive damages according to proof and as applicable against all Defendants;
- c. For interest upon such damages as permitted by law;
- d. For an award of reasonable attorneys' fees provided by law under all applicable statutes;
- e. For the costs of the lawsuit;
- f. For injunctive relief as applicable; and
- g. For such other orders of the Court and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby request and demand a jury trial on all issues triable by jury.

DATED: May 12, 2025

By: _____


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